

PUBLIC WORKS COMMITTEE

DATE: April 23, 2009

CALLED TO ORDER: 5:30 p.m.

ADJOURNED: 6:46 p.m.

ATTENDANCE

ATTENDING MEMBERS

Benjamin Hunter, Chair
Brian Mahern
Dane Mahern
Angela Mansfield
Janice McHenry
Mary Moriarty Adams
Christine Scales
Mike Speedy

ABSENT MEMBERS

Ginny Cain

AGENDA

PROPOSAL NO. 83, 2009 - amends the Code to make towing and storage fees for abandoned vehicles consistent with the franchise fees for towing and storage charged by franchise wreckers

"Postponed" until May 14, 2009

Vote 7-0

PROPOSAL NO. 108, 2009 - appropriates \$8,900,000 in the 2009 Budget of the Department of Public Works (Transportation General Fund) to fund street, curb, sidewalk, access ramp and traffic signal improvements in the 86th Street TIF district, financed by a transfer from revenue in the 86th Street TIF subfund

"Do Pass As Amended"

Vote 8-0

PROPOSAL NO. 123, 2009 - reappoints Herb Bazemore to the Marion County Stormwater Management Technical Advisory Committee

"Do Pass"

Vote 8-0

PROPOSAL NO. 124, 2009 - reappoints Mark F. Rumreich to the Marion County Stormwater Management Technical Advisory Committee

"Postponed" until May 14, 2009

Vote 8-0

PROPOSAL NO. 125, 2009 - appropriates \$3,250,000 in the 2009 Budget of the Department of Metropolitan Development (Federal Grants, Transportation and Consolidated County Funds) to fund various regional pavement, traffic and route planning activities with associated data gathering, financed by grants from the Federal Highway Administration, matching funds from the Department of Public Works, and contributions from partners and neighboring municipalities

"Do Pass As Amended"

Vote 8-0

PROPOSAL NO. 126, 2009 - authorizes intersection controls in the McGregor Highlands subdivision (District 25)

"Do Pass"

Vote 8-0

PROPOSAL NO. 127, 2009 - authorizes intersection controls in the Moeller Estates at Wildwood Farms, Sections 2, 4, 6 and 7 (District 25)

"Do Pass"

Vote 8-0

PROPOSAL NO. 128, 2009 - authorizes intersection controls in the Hanover subdivision, Sections 1 and 3 (District 25)

"Do Pass"

Vote 8-0

PROPOSAL NO. 129, 2009 - authorizes intersection controls in the Bluff View Meadows subdivision (District 22)

"Do Pass"

Vote 8-0

PROPOSAL NO. 130, 2009 - defines and establishes a school zone on Illinois Street between 30th Street and 32nd Street (District 8)

"Postponed" until May 14, 2009

Vote 8-0

PROPOSAL NO. 131, 2009 - amends the Code to enhance the city's ability to enforce the provisions of Chapter 575, Environmental Public Nuisances, including amendments regarding high weeds and vegetation

"Do Pass"

Vote 8-0

PROPOSAL NO. 132, 2009- amends the Code to add a new Article VI in Chapter 261 establishing a Green Fleet Policy

"Postponed" until May 14, 2009

Vote 8-0

PUBLIC WORKS COMMITTEE

The Public Works Committee of the City-County Council met on Thursday, April 23, 2009. Chairman Benjamin Hunter called the meeting to order at 5:30 p.m. with the following members present: Brian Mahern, Dane Mahern, Janice McHenry, Mary Moriarty Adams, Christine Scales, and Mike Speedy. Angela Mansfield arrived shortly thereafter. Ginny Cain was absent. General Counsel Robert Elrod represented Council Staff.

PROPOSAL NO. 83, 2009 - amends the Code to make towing and storage fees for abandoned vehicles consistent with the franchise fees for towing and storage charged by franchise wreckers

Chair Hunter said that there is a request by the Department of Public Works (DPW) staff to "Postpone" Proposal No. 83, 2009.

Councillor Speedy moved, seconded by Councillor Dane Mahern to "Postpone" Proposal No. 83, 2009 to May 14, 2009. The motion carried by a vote of 7-0.

PROPOSAL NO. 108, 2009 - appropriates \$8,900,000 in the 2009 Budget of the Department of Public Works (Transportation General Fund) to fund street, curb, sidewalk, access ramp and traffic signal improvements in the 86th Street TIF district, financed by a transfer from revenue in the 86th Street TIF subfund

Dave Cleaver, Assistant Administrator, DPW, introduced Larry Jones, Assistant Administrator, Transportation, DPW. Mr. Cleaver said Proposal No. 108, 2009 was originally introduced for \$8.9 million, but it has now been amended to \$2.9 million. He said the original Tax Increment Financing (TIF) district in that area was created about 18 years ago, and proceeds were used to construct and widen 86th Street between I-465 and Michigan Road. He said work was also done on 71st Street, as well as some improvements on Zionsville Road. Mr. Cleaver said DPW has plans with Dow Elanco. Mr. Jones presented a map showing the boundaries of the TIF district at 86th Street and Zionsville Road. He said they are asking for funding to resurface and rehabilitate Zionsville Road from 71st Street to 96th Street. He said the pavement is in very poor condition, and they have safety concerns in the area of 71st Street and 86th Streets, which have actually caused some judgments against DPW.

Mr. Jones said Dow Elanco is the major generator of this TIF district. He said they are improving connectivity from I-465 between 71st and 96th Streets.

{Clerk's Note: Councillor Mansfield arrived at 5:35 p.m.}

Councillor McHenry asked if sidewalks will be added to this project. Mr. Jones answered in the negative.

Councillor Speedy moved, seconded by Councillor Moriarty Adams, to "amend" Proposal No. 108, 2009 attached. He explained that the amendment (attached as

Exhibit A), states that there will be revisions to the opening digest and Sections 2, 3, and 4 by deleting the amounts stricken-through and replacing with the highlighted amount as shown. This amendment decreases the total appropriation of the proposal from \$8.9 million to \$2.9 million. The motion to "Amend" was carried by a vote of 8-0.

Councillor Dane Mahern asked if this project will include any water flow or sewer improvements. Mr. Jones answered in the negative. He said it is primarily for transportation.

Councillor Speedy moved, seconded by Councillor Moriarty Adams, to send Proposal No. 108, 2009 to the full Council with a "Do Pass As Amended" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 123, 2009 - reappoints Herb Bazemore to the Marion County Stormwater Management Technical Advisory Committee

Mr. Bazemore said he is a 37-year resident of Decatur Township, and is an Account Executive for Anthem Blue-Cross and Blue-Shield, and he is celebrating his 30th year there. Mr. Bazemore said he is married and has two adult children. He has been on the Stormwater Advisory Board for two terms, and said that he is looking forward to being reappointed. Mr. Bazemore said he is the former President of the Decatur Township Board of Education, former chair of the Visiting Nurse Foundation, and is currently the vice chair of the Decatur Township Educational Foundation. He said he enjoys working with people and the community.

Councillor Moriarty Adams moved, seconded by Councillor Scales, to send Proposal No. 123, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 124, 2009 - reappoints Mark F. Rumreich to the Marion County Stormwater Management Technical Advisory Committee

Chair Hunter said Mr. Rumreich declined reappointment. Chair Hunter said Mr. Rumreich's name will be stricken through and there will be a replacement name added to the proposal. Councillor Speedy moved, seconded by Councillor Moriarty Adams, to "Postpone" Proposal No. 124, 2009 until May 14, 2009. The motion carried by a vote of 8-0.

PROPOSAL NO. 125, 2009 - appropriates \$3,250,000 in the 2009 Budget of the Department of Metropolitan Development (Federal Grants, Transportation and Consolidated County Funds) to fund various regional pavement, traffic and route planning activities with associated data gathering, financed by grants from the Federal Highway Administration, matching funds from the Department of Public Works, and contributions from partners and neighboring municipalities

Lori Miser, Indianapolis Metropolitan Planning Organization, Department of Metropolitan Development (DMD), introduced Phillip Roth, Assistant Manager, DMD. She said they do transportation planning for the Central Indiana region, and have the opportunity to access additional federal transportation funds. Eighty percent of those funds come from the federal government, and 20% are matched locally. She said a significant amount of this money will be going to DPW. Ms. Miser said there are a lot of projects that need to be addressed in Marion County. One project will include updating the pavement management system, which enables DPW to assess pavement needs, and helps them to evaluate and prioritize the roads that need to be maintained, resurfaced, and repaired on a regular basis. She said other projects will include traffic studies, work for images, GIS data, a variety of activities for some of their surrounding partners, supporting Indy Go in an on-board survey, thoroughfare plans for a couple of communities, and corridor studies.

Councillor Dane Mahern asked if they will address projects based on a ranking system. Mr. Jones said it depends on the circumstances. For example, thoroughfare upgrades have not taken place since 2000, and so he would like to spend that money on street repavement. He said this is a great opportunity because this project is being funded 80% by federal funds. He said the current pavement managing system is eight years old and it warrants updates. Chair Hunter said the match is 20%, and there is an amendment to Proposal No. 125, 2009. Councillor Speedy read an amendment, (attached as **Exhibit B**), which states Proposal No. 125, 2009 is being amended by the revision to Section 7 by deleting the amount stricken-through and replacing with the highlighted amount. The introduced proposal shows \$299,000 being transferred out of the Department of Public Works' Character 03 appropriation in the Transportation General Fund. This amendment changes the transfer from Character 03 to Character 04. Councillor Speedy moved, seconded by Councillor Moriarty Adams, to "Amend" Proposal No. 125, 2009. The motion carried by a vote of 8-0.

Chair Hunter asked if there will be a deficit in Character 03. Michael Williams, Chief Financial Officer, DPW, answered in the negative. Councillor Moriarty Adams moved, seconded by Councillor Dane Mahern, to send proposal No. 125, 2009 to the full Council with a "Do Pass As Amended" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 126, 2009 - authorizes intersection controls in the McGregor Highlands subdivision (District 25)

PROPOSAL NO. 127, 2009 - authorizes intersection controls in the Moeller Estates at Wildwood Farms, Sections 2, 4, 6 and 7 (District 25)

PROPOSAL NO. 128, 2009 - authorizes intersection controls in the Hanover subdivision, Sections 1 and 3 (District 25)

PROPOSAL NO. 129, 2009 - authorizes intersection controls in the Bluff View Meadows subdivision (District 22)

Chair Hunter asked for consent to take Proposal Nos. 126-129, 2009 together. Consent was given. Nathan Sheets, Senior Project Manager, DPW, said all of these proposals are establishing intersection controls in subdivisions. Councillor Dane Mahern asked Mr. Sheets if all of the district Councillors support these proposals. Mr. Sheets answered in the affirmative. Councillors Moriarty Adams moved, seconded by Councillor Dane Mahern, to send Proposal Nos. 126-129, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 130, 2009 - defines and establishes a school zone on Illinois Street between 30th Street and 32nd Street (District 8)

Chair Hunter said at the request of the DPW staff, and the approval of Councillor Monroe Gray, they would like to "Postpone" this proposal until May 14, 2009. Councillor Mansfield said the purpose of this proposal is to reduce the speed limit near the Children's Museum. The current proposal identifies the area as a school zone, which limits the speed reduction to five days a week; however the Museum would like this speed reduction to be in effect seven days a week. She said the language needs to be changed in this proposal. Councillor Moriarty Adams moved, seconded by Councillor Mansfield, to "Postpone" Proposal No. 130, 2009 until May 14, 2009. The motion carried by a vote of 8-0.

PROPOSAL NO. 131, 2009 - amends the Code to enhance the city's ability to enforce the provisions of Chapter 575, Environmental Public Nuisances, including amendments regarding high weeds and vegetation

Rick Powers, Director, Office of Code Enforcement (OCE), said this is a big step in addressing the 2009 weed season. He said DPW has transferred the responsibility of weed control to OCE, and the notice time to an owner or occupant concerning weed management will be cut in half. The change serves warning for no less than five days, but no more than 10 days. He said they will also engage a vendor, and not take city resources for weed control. Mr. Powers said they will provide one notice per calendar year, and that notice will say OCE will cut the grass. Then, they will return within thirty days, and if the grass needs cutting, the owner will be still be in violation until they cut it. He said the property will remain in violation, and they will continue to abate the condition until the owner has abated it. Once the owner cuts the grass, the process will start over.

Councillor Mansfield said this is a situation that has constantly been a problem with foreclosed and abandoned homes, and this will assist the neighbors that take the initiative to keep the grass cut at these homes. He said a vendor will take "before" and "after" pictures as proof for payment, and contract compliance will be built into the enforcement process. Mr. Powers said they will also allow registered neighborhood groups that are willing to be added to an insurance agreement for liability purposes, to become a part of the vendors list so they can cut the grass. Mr. Powers said the only provision is that the vendor has to wait five days for the response of the owner. He said

they hope to see a dramatic change this year in how the problem of weed removal is addressed. Chair Hunter asked if the decrease in wait time allows the vendor to remove the grass sooner. Mr. Power answered in the affirmative. Mr. Powers said the only provision is the five-day wait. He said if the neighborhood group has a quick response time, they may cut the grass. Chair Hunter said that he sees the shortened lag time as a plus, because sometimes contractors may not be able to address cutting issues right away due to multiple properties. Mr. Powers said this is a positive step for neighborhood groups because they will generate revenue, as well as become involved.

Chair Hunter asked Mr. Powers if OCE will be responsible for the follow-up inspection. Mr. Powers answered in the affirmative. He said they are responsible for the entire program. He said the first inspection will be performed by city staff; next, notices are sent out to owners that their property is in violation for the rest of the calendar year, until they actually cut the grass. They will require a "before" and "after" picture from the vendor as proof that they cut the grass.

Councillor Dane Mahern asked if OCE is putting forth an effort to use unemployed individuals, ex-felons, or minority businesses in the neighborhood to cut the grass. Nichole Randol, Deputy Director, OCE, said they are still in the process of transitioning the program from DPW. She said there is a list of vendors that are in the process of having their contracts renewed. Ms. Randol said they are reviewing finances to determine how many new vendors can be added to the program. She said there has been some discussion about contacting Ms. Khadijah Muhammad, Re-entry Director, Mayor's Office, about providing this opportunity to ex-offenders, and she said they are open to other suggestions. Councillor Dane Mahern said he would like to work with Ms. Randol and the Mayor's Office to get this information out to the ex-offender program. He said this is an opportunity for the city to improve that program.

Mr. Powers said there will also be more changes in contracts in 2010, after the contracts expire. Councillor Brian Mahern asked if there have been outreach efforts directed to the neighborhoods. Mr. Powers said Mr. Andy Harris, Administrator, Neighborhood Services, initiated this pilot project, and he is unsure how much outreach has been done, therefore that question needs to be deferred to him. Mr. Powers said he urges all Councillors to contact Neighborhood Services for more details.

Councillor Scales reiterated soliciting the involvement of ex-felons. She said she contacted Ms. Muhammad, and she is very interested in working with this service. Councillor Scales asked if jail inmates can also be a part of this program, and use their payments for their room and board. Mr. Powers said some of these ideas have been considered in some of the community courts, but generally that type of labor is used in right-of-way projects, instead of entering on private property. He said liability is still an issue. Councillor Scales asked if this program has been considered for summer jobs. Mr. Powers said that a lot of options are being considered, and they are willing to consider any options as they move forward. Councillor Scales asked who one should contact to get on the vendor list. Mr. Power said they should contact neighborhood services or their neighborhood liaison's office. He said that information can be found at

indygov.org. Councillor Scales said there are some constituents in her district that have high grass, and they claim they are growing a nature preserve. She said they cite various ordinances that allows for them to grow their grass. Mr. Powers said in the ordinance concerning grass there is a provision for a nature habitat and native grass, but any grass above 12 inches is in violation of the nuisance law. He said this remains a standing argument, but the exception is very specific to adjacent property.

Councillor McHenry said, in theory, the grass can be cut every 28 to 29 days in a 30-day cycle. The grass can remain a nuisance, and the owner can still be in compliance. Mr. Powers said the owner will be out of compliance until they actually cut the grass. He said they will be put on a cut schedule from the date of notice, and then five days later, the vendor can cut the grass. He said there will be periodic inspections after the vendor cuts the grass to verify if the owner is continuing maintenance.

Councillor Mansfield said she will have some neighborhood groups that will be interested in participating in this program. She suggested appointing one contact person to oversee this program, as opposed to going through their neighborhood liaisons. Since some neighborhood liaisons are more responsive than others.

Councillor Brian Mahern asked if there is a policy implemented that allows neighborhood association groups to work in their own neighborhood, as opposed to working on the opposite side of town. Ms. Randol answered in the affirmative. Councillor Moriarty Adams moved, seconded by Councillor Dane Mahern, to send Proposal No. 131, 2009 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 132, 2009- amends the Code to add a new Article VI in Chapter 261 establishing a Green Fleet Policy

Chair Hunter turned the gavel over to Councillor Speedy to continue the meeting in order to give testimony to Proposal No. 132, 2009, of which he is the sponsor. He said he has worked with Karen Haley, Director, Office of Sustainability, on this proposal. Chair Hunter said this proposal is needed to set a trend for businesses and citizens in the community and will improve local air quality, as well as reduce greenhouse and gas emissions. He said the proposal includes definitions which are in line with the Indiana Code on purchasing different vehicles. Chair Hunter said the Office of Sustainability, and Fleet Services will assist each department to coordinate a yearly inventory analysis of fleet vehicles. This list will include the number of vehicles, classification, miles per gallon, average cost and function. He said carbon dioxide calculations based on gallons will also be monitored. This proposal will create a policy that DPW will purchase the most energy efficient vehicles for the operational needs of the department and agency heads; and it will dictate the policy that will manage and operate in a manner that is energy efficient. He said that is achieved by enforcing the anti-idling policy. Lastly, the Director of Public Works shall review vehicle procurement requests from different agencies and officials to ensure that the vehicles which are purchased can be serviced.

Councillor Speedy asked what the fiscal impact of this proposal is, and if the cost of this program is something that should be taken into account during the passage of the budget. Councillor Speedy asked if this proposal will have a significant impact on this and any future budgets. Ms. Haley said there could be an impact in two ways. She said sometimes the initial cost of the vehicle is more expensive than the standard lead-fuel vehicle, but the long-term benefits should be taken into account. She said the city recently purchased 85 hybrid vehicles for non-pursuit safety officers, and they are being used now. She said they are a little expensive on the front end, but the city determined that this will be a benefit for the future because they will use less fuel, which in turn will save the city money.

Councillor Mansfield said although this proposal is before the committee as an ordinance, under the prior administration, there was already a process similar to Green Fleet, and the current administration is continuing the policy.

Councillor Scales asked if the weight of this policy, as well as the costs, will be spelled out specifically during the bid process. Ms. Haley said that Fleet Services and the purchasing department will work together to determine that information. She said she has spoken with someone that has similar job responsibilities to hers in Evansville, and that person has offered to share a checklist that they use to purchase Hybrid Vehicles.

Councillor Dane Mahern said he appreciates all the progress that the Office of Sustainability has made in regards to this policy.

Councillor Brian Mahern asked if a scoring system will be developed to determine which vehicle is the most energy efficient. Ms. Haley said the Environmental Protection Agency (EPA) provides that information, as well as a list of fuel-efficient vehicles.

Bob Elrod, General Counsel, said there is a provision in the Code about vehicle inventory and he is not certain that this information coincides with the prior information. He said it should be determined if the other provision needs to be included in this policy, or if the proposed provision should be the only one. Secondly, Mr. Elrod said that he has expressed some concerns to the Mayor's Office that this language refers to the Office of Sustainability, but that office does not exist in the Code. He said if duties are going to be given to certain offices, then those offices should be listed in the Code. He said the executive order may give a small provision for these types of situations, but executive orders can go away at any time. Mr. Elrod said his advice to the Council is to make sure that departments or organizations they are giving duties to have some official standing in the code.

Councillor Speedy asked Mr. Elrod if it is the intention of the administration to create an ordinance for the Office of Sustainability. Mr. Elrod said he is not certain. He said it may just need to be two to three lines established in the Mayor's Office, but currently there is nothing. He said he is just concerned about enforcement and assigning a duty to an office that does not exist in the Code.

Councillor Speedy asked Mr. Elrod if the Office of Sustainability were to cease, if there is a default department in DPW that would take over the responsibilities listed in the proposal.

Councillor Mansfield said she has some concerns about what Mr. Elrod has brought up. She said she does not see why it is necessary to put forth an ordinance, and codify certain things when an administration, whether, past or future, has the authority to set up certain policies and procedures. She said it seems as though the current administration can set up its own policy and enforce it.

Councillor Brian Mahern asked Chair Hunter if he thinks it is necessary to go forth with this proposal, or if this is a gap that he is trying to close. Chair Hunter said there is a gap that needs to be closed. He used an example of making sure there is equipment available to repair the 85 hybrid vehicles which the Mayor's Office purchased. Chair Hunter agreed that the point about the Office of Sustainability is valid, and he will move toward correcting this information in the Code.

Ms. Haley said there is not an executive order that creates the Office of Sustainability, because it is a division of DPW. Chair Hunter said they can strike the Office of Sustainability and insert the office name that needs to replace it. He said his view is that certain policies should not be legislated; however in certain cases, sustainability is a fiscal responsibility, and it is about saving money long-term. Therefore, he does feel it should be included in the Code. Chair Hunter said in reference to the anti-idling policy, its loose interpretation will allow Human Resources to decide policy decisions. He said this proposal allows people to have room to determine what will occur, how it is going to occur, what will be most energy efficient, and how sustainability will be attained.

Councillor Mansfield moved, seconded by Councillor Scales, to "Postpone" Proposal No. 132, 2009 until May 14, 2009. The motion carried by a vote of 8-0.

There being no further business, and upon motion duly made, the meeting was adjourned at 6:46 p.m.

Respectfully Submitted,

Benjamin Hunter, Chairman

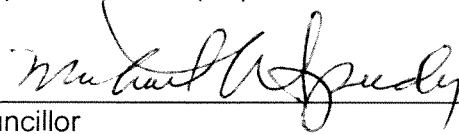
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Proposal No. 108, 2009

MOTION TO AMEND

Mr. Chairman:

I respectfully move to amend Proposal No. 108, 2009, as introduced, and before this committee, be amended by the revisions to the opening digest and sections 2, 3, and 4 by deleting the amounts stricken through and replacing by the highlighted amount, as shown below. This amendment decreases the total appropriation of the proposal from \$8.9 million to \$2.9 million.


Councillor

Date: 4-23-09

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008) appropriating ~~Eight Two~~ Million Nine Hundred Thousand Dollars ~~(\$8,900,000)~~ (\$2,900,000) in the Transportation General Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency, where applicable.

SECTION 2. The sum of ~~Eight Two~~ Million Nine Hundred Thousand Dollars ~~(\$8,900,000)~~ (\$2,900,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKSTRANSPORTATION GENERAL FUND

1. Personal Services		0
2. Supplies		0
3. Other Services and Charges		0
4. Capital Outlay	8,900,000	2,900,000
5. Internal Charges		<u>0</u>
TOTAL INCREASE	8,900,000	2,900,000

SECTION 4. A total of ~~\$8,900,000~~ \$2,900,000 of cash is hereby transferred from the 86th Street TIF subfund (of the Revenue Bonds Fund) to the Transportation General Fund, to support the said approved appropriations from that fund.

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated, Unencumbered Fund Balance	8,900,000 <u>2,900,000</u>
TOTAL REDUCTION	8,900,000 2,900,000

CITY-COUNTY FISCAL ORDINANCE NO. , 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008) appropriating Eight Million Nine Hundred Thousand Dollars (\$8,900,000) in the Transportation General Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency, where applicable.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (h) of the City-County Annual Budget for 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works to fund street, curb, sidewalk, access ramp and traffic signal improvements in the 86th Street TIF district, financed by a transfer of revenue in the 86th Street TIF subfund to the Transportation General Fund.

SECTION 2. The sum of Eight Million Nine Hundred Thousand Dollars (\$8,900,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS

TRANSPORTATION GENERAL FUND

1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	8,900,000
5. Internal Charges	0
TOTAL INCREASE	8,900,000

SECTION 4. A total of \$8,900,000 of cash is hereby transferred from the 86th Street TIF subfund (of the Revenue Bonds Fund) to the Transportation General Fund, to support the said approved appropriations from that fund.

	<u>TRANSPORTATION GENERAL FUND</u>
Unappropriated, Unencumbered Fund Balance	8,900,000
TOTAL REDUCTION	8,900,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2009 ending fund balance for the Transportation General Fund, as depicted in the 2009 budget ordinance (FO 54, 2008 page 52) was estimated to be \$464,882. Because this appropriation is funded by a transfer of revenue from the Revenue Bonds Fund there is no net impact on the Transportation General Fund balance.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.


DIGEST: Approves an appropriation of \$8,900,000 in the 2009 Budget of the Department of Public Works (Transportation General Fund) to fund street, curb, sidewalk, access ramp and traffic signal improvements in the 86th Street TIF district, financed by a transfer of revenue in the 86th Street TIF subfund to the Transportation General Fund.

Proposal No. 125, 2009

MOTION TO AMEND

Mr. Chairman:

I respectfully move to amend Proposal No. 125, 2009, as introduced, and before this committee, be amended by the revision to Section 7 by deleting the amount stricken through and replacing by the highlighted amount, as shown below. The introduced proposal shows \$299,000 being transferred out of the Department of Public Works' Character 3 appropriation in the Transportation General Fund. This amendment changes the transfer from Character 3 to Character 4.


Councillor

Date:

4-23-09

SECTION 7. The increased appropriation in Section 6 is funded by the following reduction:

DEPARTMENT OF PUBLIC WORKS

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
- TOTAL DECREASE

TRANSPORTATION FUND

0
0
299,000
299,000
299,000

CITY-COUNTY FISCAL ORDINANCE NO. _____, 2009
Proposal No. _____, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008) by appropriating Two Million Six Hundred Thousand Dollars (\$2,600,000) in the Federal Grants Fund, Two Hundred Ninety-Nine Thousand Dollars (\$299,000) in the Transportation Fund, and Three Hundred Fifty-One Thousand Dollars (\$351,000) in the Consolidated County Fund, for purposes of the Department of Metropolitan Development.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption of the annual budget, §1.01(g) and §1.01(h) and of the City-County Annual Budget for 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development (DMD) to fund the following activities: updating the regional pavement management system; project counts and traffic impact studies; light detecting, ranging and aerial photography for data acquisition; Geographic Infrastructure System (GIS) data development; IndyGo behavioral surveys and route planning; thoroughfare plan development; and alternative transportation. The previously named activities are financed by (1) grant funds from the Federal Highway Administration through the State of Indiana in the form of Planning (PL) funds deposited into the Federal Grants Fund, (2) matching funds from a transfer in the Transportation General Fund from DPW to DMD, and (3) matching funds collected through contributions from several partners and from neighboring municipalities deposited into the Consolidated County Fund.

SECTION 2. The sum of Two Million Six Hundred Thousand Dollars (\$2,600,000) be, and the same appropriated for, the purposes as shown in Section 3 and funded by the sources identified in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	2,600,000
4. Capital Outlay	0
TOTAL INCREASE	2,600,000

SECTION 4. The increased appropriation authorized by Section 3 is funded by grant funds from the Federal Highway Administration through the State of Indiana of Planning (PL) funds. These funds will allow the Metropolitan Planning Organization (MPO) to pay for eighty percent (80%) of the costs of the various contractual obligations pertaining to following activities: updating the regional pavement management system; traffic counts and traffic impact studies; light detecting and ranging (LIDAR) and aerial photography for data acquisition; Geographic Infrastructure System (GIS) data development; IndyGo behavioral surveys and route planning; thoroughfare plan development; and alternative transportation planning.

SECTION 5. The sum of Two Hundred Ninety-Nine Thousand Dollars (\$299,000) be, and the same appropriated for, the purposes as shown in Section 6 by reducing the accounts as shown in Section 7, where applicable.

SECTION 6. The following increased appropriation is hereby approved:

<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>TRANSPORTATION FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	299,000
4. Capital Outlay	0
TOTAL INCREASE	299,000

SECTION 7. The increased appropriation in Section 6 is funded by the following reduction:

DEPARTMENT OF PUBLIC WORKS

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
- TOTAL DECREASE

TRANSPORTATION FUND

0
0
0
299,000
299,000

Deleted: 299,000

Deleted: 0

SECTION 8. The transfer in the Transportation General Fund from the Department of Public Works (DPW) to the Department of Metropolitan Development (DMD) will cover the twenty percent (20%) match required for the federal grant appropriations requested for the following activities: updating the regional pavement management system, traffic counts and traffic impact studies.

SECTION 9. The sum of Three Hundred Fifty-One Thousand Dollars (\$351,000) be, and the same appropriated for, the purposes as shown in Section 10 and funded by the sources identified in Section 11.

SECTION 10. The following increased appropriation is hereby approved:

DEPARTMENT OF METROPOLITAN DEVELOPMENT

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
- TOTAL INCREASE

CONSOLIDATED COUNTY FUND

0
0
351,000
0
351,000

SECTION 11. The increased appropriation authorized by Section 9 is funded by commitments to contributions from other partners and municipalities. These matching funds will allow the Metropolitan Planning Organization (MPO) to pay for twenty percent (20%) of the costs of the various contractual obligations pertaining to following activities: light detecting and ranging (LIDAR) and aerial photography for data acquisition; Geographic Infrastructure System (GIS) data development; IndyGo behavioral surveys and route planning; thoroughfare plan development; and alternative transportation planning.

SECTION 12. The council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 13. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

DIGEST: Appropriates funds financed by (1) grant funds from the Federal Highway Administration PL through the State of Indiana in the form of Planning (PL) funds, (2) matching funds from a transfer in the Transportation General Fund from DPW to DMD, and (3) matching funds collected through contributions from several partners and from neighboring municipalities deposited into the Consolidated County Fund. The appropriations will be used to fund the following activities: updating the regional pavement management system; traffic counts and traffic impact studies; light detecting and ranging (LIDAR) and aerial photography for data acquisition; Geographic Infrastructure System (GIS) data development; IndyGo behavioral surveys and route planning; thoroughfare plan development; and alternative transportation planning.